

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**ALLSTATE INSURANCE COMPANY,
ET. AL.,**

Plaintiffs

VS.

**MICHAEL KENT PLAMBECK, D.C.,
ET. AL.,**

Defendants

[illegible]

Civil Action No. 3:08CV-0388-M

**JOINT STIPULATION OF DISMISSAL IN REGARD TO
DEFENDANTS THOMAS L. MAGELANER
AND MAGELANER & ASSOCIATES, LTD.**

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Come now Allstate Insurance Company, Allstate Indemnity Company, Allstate Property & Casualty Insurance Company, and Allstate County Mutual Insurance Company, Plaintiffs, and Thomas L. Magelaner and Magelaner & Associates, Ltd., Defendants, and file this Joint Stipulation of Dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and would respectfully show the Court as follows:

I.

1. Thomas L. Magelaner and Magelaner & Associates, Ltd. have answered in this lawsuit. Thomas L. Magelaner and Magelaner & Associates, Ltd have brought a counter-claim against all Plaintiffs.

2. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs and Thomas L. Magelaner and Magelaner & Associates, Ltd. stipulate to the Court that Plaintiffs and said two (2) Defendants no longer wish to maintain the claims and counter claims asserted in the above-styled and numbered cause of action and dismiss such claims with prejudice.
3. Plaintiffs do not stipulate to the dismissal of any other Defendant, aside from Thomas L. Magelaner and Magelaner & Associates, Ltd.

Respectfully submitted;

Respectfully submitted;

/s/ David Kassabian
DAVID KASSABIAN
STATE BAR #11105600
BRET WEATHERFORD
STATE BAR #20998800

/s/ Thomas L. Magelaner
THOMAS L. MAGELANER
OHIO STATE BAR NO. 0043827

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MAGELANER & ASSOCIATES, LTD.

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ATTORNEYS FOR PLAINTIFFS

ATTORNEY FOR DEFENDANTS
THOMAS L. MAGELANER AND
MAGELANER & ASSOCIATES, LTD.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Joint Stipulation of Dismissal in Regard to Defendants Thomas L. Magelaner and Magelaner & Associates, Ltd. via electronic filing and certified mail, return receipt requested, as outlined below, this the 31st day of July 2009:

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/s/ David Kassabian
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